

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 23, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:17 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, MAY 16, 2002;
DEPARTMENTAL BUDGET HEARINGS ON THURSDAY, MAY 16, 2002**

Board members requested the following corrections to the Staff Meeting minutes of May, 16, 2002:

- * Page 2, Item 3d, Paragraph 1, Sentence 3 - Change "F" to "L"
- * Page 2, Item 3d, Paragraph 1, Sentence 4 - Delete the phrase and the public
- * Page 3, Item 3d, Paragraph 2, Sentence 3 - Change storage to stacking and delete may be closed
- * Page 3, Item 3d, Paragraph 4, Sentence 4 - Change new style to Nu Style
- * Page 12, Item 14a - Change the seconder of the motion from Steinman to Stevens

MOTION: Campbell moved and Stevens seconded approval of the Staff Meeting minutes of May, 16, 2002, with the noted corrections, and the Departmental Budget Hearings minutes of May 16, 2002. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. County Board Office Redesign
- B. Report on the North Parking Garage
- C. Resource Conservation & Development Program (RC&D)

MOTION: Stevens moved and Hudkins seconded approval of the additions to the agenda. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

- A. County Board Office Redesign

The Board reviewed quotes for interior design/reconfiguration services from All Makes Office Equipment Co. and Innerspace Studios, Ltd. (Exhibits A & B).

MOTION: Hudkins moved and Campbell seconded to authorize Kerry Eagan, Chief Administrative Officer, to develop a contract with Innerspace Studios, Ltd.

Heier noted that the preliminary Master Plan for the County-City Building shows the County Board Office moving to the second floor.

MOTION: Campbell moved and Hudkins seconded to request that the Public Building Commission have the team that is working on the Master Plan visit with the County Board about its office location before proceeding with the Master Plan.

ROLL CALL ON THE ORIGINAL MOTION: Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

ROLL CALL ON THE SUBSEQUENT MOTION: Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

- B. Report on the North Parking Garage

Hudkins said City Public Works/Utilities has agreed to allow 10th Street, as well as "K" Street, access to the parking garage.

- C. Resource Conservation & Development Program (RC&D)

Workman said wireless Internet service in Cass County was discussed.

Heier suggested formation of a task force to investigate possible service and tower location sites in Lancaster County.

The Board requested a presentation at a future meeting.

3 COMMISSIONER MEETING REPORTS

A. Nebraska Association of County Officials (NACO) Board Meeting - Workman

Workman said the NACO budget was approved. Insurance was also discussed.

B. Families First & Foremost (F³) Conveners - Heier

Heier reported on a meeting held with Ron Ross, Nebraska Department of Health & Human Services Director.

C. Visitors Promotion Advisory Committee - Workman

Workman said upcoming vacancies, whether to add ex-officio members from the University of Nebraska and City Council and whether to seek legislation to expand the committee were discussed.

Eagan said the Board may wish to reconsider having a representative from the Visitors Promotion Advisory Committee (VPAC) on the committee that will evaluate the Request for Proposals (RFP), Specification No. 02-106, Promotional Services to Attract Visitors and Tourism to Lancaster County. He added that committee members will be asked whether they are members of the Chamber of Commerce, as the Chamber is expected to submit an RFP.

D. Floodplain Task Force - Heier

Heier said storage capacity models were presented.

E. Monthly Meeting with Mayor Wesely - Workman, Heier

Workman and Heier said the jail interlocal agreement, Old Federal Building, 911 surcharge, Nash Finch Building, acreages and infrastructure costs were discussed.

F. Community Mental Health Center Advisory Committee - Stevens

Stevens said the budget deficit and ways to increase staff productivity were discussed.

4 AFFIRMATIVE ACTION PLAN - Joyce Quinn, City Affirmative Action Officer; Diane Staab, Deputy County Attorney; Pat Kant, Personnel Coordinator; Georgia Glass, Personnel Director

Joyce Quinn, City Affirmative Action Officer, distributed a revision of Page 4 of the Affirmative Action Plan which defines protected classes (Exhibit C).

Pat Kant, Personnel Coordinator, said affirmative action referral is activated 20-25 percent of the time and said the department must be under-represented as compared to the community and have no protective class applicants in the top group. She added that the affirmative action only applies to competitive positions, not promotions.

Diane Staab, Deputy County Attorney, reported that the Equal Opportunity Commission (EOC) is reviewing the classes of people that it believes have been historically discriminated against and said it is likely to expand the list.

Quinn also summarized feedback from department heads:

- * Part-time employees are not tracked for affirmative action
- * Concern about adding an additional week of job advertisement
- * Concern that other issues or employment matters may be the source of discrimination complaints
- * Paid leave, other than personal holidays, is not allowed during the probationary period which may not be fair to pregnant women

5 ADDITIONAL APPROPRIATIONS - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, reviewed the following (Exhibit D):

- * *Lancaster County, FY02 Projected Additional Appropriations, Mid-Year FY02 Budget Review*
- * *Lancaster County, FY02 Additional Appropriations Requested*

The Board scheduled a resolution addressing General Fund transfers and the setting of a public hearing for June 11, 2002 for Other Funds (Bridge & Special Road Fund, Lancaster Manor, Mental Health Center and County Property Management) on the May 28, 2002 County Board of Commissioners Meeting agenda.

6 POTENTIAL LITIGATION - Mike Thew, Chief Deputy County Attorney

MOTION: Campbell moved and Stevens seconded to enter Executive Session at 9:02 a.m. for discussion of potential litigation. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to exit Executive Session at 10:45 a.m. Hudkins, Stevens, Heier and Workman voted aye. Campbell was absent from voting. Motion carried.

Campbell returned to the meeting at 10:46 a.m.

7 SHERIFF MOTOR VEHICLES - Bill Jarrett, Chief Deputy Sheriff

Bill Jarrett, Chief Deputy Sheriff, submitted the following (Exhibit E):

- * A letter from Terry Wagner, Lancaster County Sheriff, requesting authorization to order eight (8) Ford Crown Victoria Police Interceptors to take advantage of an offer by the Ford Motor Company to make 2003 models available with 2002 pricing
- * Correspondence from Lancaster County Juvenile Detention Center, Community Mental Health Center, Noxious Weed Control Authority, and County-City Property Management requesting transfer of surplus Sheriff's Office vehicles

Jarrett said the order must be placed by June 30, 2002 but delivery and payment will not occur until the 2003 budget year. He added that the purchase will allow the Sheriff's Office to continue replacing old, worn vehicles at a steady rate throughout the year.

Campbell recommended that a decision be delayed until the Board has a chance to review all of the departmental budgets.

8 COMMUNITY LEARNING CENTERS AND FAMILIES FIRST & FOREMOST (F³) - Sheryl Schrepf, Juvenile Mental Health Director; Kit Boesch, Human Services Administrator

Campbell noted that the City, County, State and Lincoln Public Schools (LPS) have each been asked to loan two of their employees for a five year period to serve as site coordinators for the Community Learning Centers (estimated \$80,000 cost). She asked for an overview of how CLC's interface with the Families First & Foremost (F³) Grant Program.

Sheryl Schrepf, Juvenile Mental Health Director, said CLC's and F³ school-based wraparound services are co-located in some of the same schools, although the target populations are different.

Kit Boesch, Human Services Administrator, said the CLC concept of bringing different services to families is excellent and provides an opportunity to bring parents into their student's education or to get help with human services. She said she would like to see County agencies, like the Community Mental Health Center, and County sponsored agencies, like Child Guidance, located in the CLC's and said the associated cost should be counted as County funding. Boesch also noted that the County is providing funding to the CLC's through the Keno Prevention Fund and the Joint Budget Committee (JBC) and said funding through the JBC provides a mechanism for oversight.

Heier expressed concern that funding would be limited to the Lincoln Public Schools.

Campbell explained that the original funding for the CLC's came from grants to the Lincoln Public Schools Foundation and the Lincoln Public Schools. She suggested that the Board refer the matter to the JBC.

Boesch recommended development of a policy for CLC funding.

Schrepf suggested that the CLC's could also serve as a meeting location for the F³ family organizations.

9 ADULT CORRECTIONS COMMUNITY SERVICES COORDINATOR REVIEW COMMITTEE - Kit Boesch, Human Services Administrator

Board consensus was to form a review committee comprised of Gary Lacey, County Attorney; Dennis Keefe, Public Defender; Mike Thurber, Corrections Director; Steve Rowoldt, Chief Probation Officer; and Kit Boesch, Human Services Administrator.

10 LB 640 FUNDING REQUESTS - Kit Boesch, Human Services Administrator

Kit Boesch, Human Services Administrator, reviewed a list of funding recommendations from the Juvenile Justice Review Committee for allocation of the \$341,203 in LB 640 funds (Exhibit F). She noted that no new money is required for county match.

In response to a question from Campbell, Boesch said the LB640 funds will be distributed before a second Special Session of the Nebraska Legislature is convened.

MOTION: Campbell moved and Stevens seconded approval of the recommendations from the Juvenile Justice Review Committee on LB640 allocations. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

11 CHANGES TO THE COMPREHENSIVE PLAN - Kent Morgan, Interim Planning Director; Mike DeKalb, Planning Department

The Board reviewed *Working List of Lincoln City Council and Lancaster County Board Comprehensive Plan Amendment Requests for the April 3, 2002, Draft Plan* (Exhibit I).

Section: BUSINESS & COMMERCE, Development in Lancaster County, Outside of Lincoln (Request: Amend the fourth paragraph on Page F53 to allow rural industry and business)

Workman said he supports changing will to should in the first sentence, but no longer supports inclusion of the following statement: However, the County recognizes industrial and business development in rural and agricultural areas may be deemed appropriate through the County's normal approval processes.

Hudkins said he believes the current language is too restrictive.

Mike DeKalb, Planning Department, said it is his professional opinion that the proposed language is too broad.

Heier said he believes the proposed language will encourage economic growth.

Campbell said the Planning Commission voted down the amendment because of the predictability factor and said she believes that it is a tax based, as well as a land use, issue and goes against a long-standing philosophy.

MOTION: Hudkins moved and Heier seconded to advance the amended language, as printed. Hudkins and Heier voted aye. Workman and Campbell voted no. Stevens abstained from voting. Motion failed.

Kent Morgan, Interim Planning Director, suggested that the language be kept on record, with a record of the vote.

Section: MOBILITY & TRANSPORTATION, Proposed Studies (Request: Strike "road closure" for Wild Rose Lane on Page F119 and map on Page F113)

MOTION: Campbell moved and Heier seconded to advance the changes. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Section: ENVIRONMENTAL RESOURCES, The Greenprint Challenge: Implementation Strategies (Native Prairies and Grasslands) (Request: Strike the third sentence of the first paragraph on Page F64)

MOTION: Heier moved and Hudkins seconded to advance the change. Hudkins, Heier, Stevens, Workman and Campbell voted aye. Motion carried.

Section: RESIDENTIAL, Guiding Principles of Rural Areas (Amend Pages F77 and F79) (see Exhibit I for changes)

MOTION: Heier moved and Hudkins seconded to advance the amended language for Page F77. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

DeKalb questioned the term urban residential uses in the first sentence.

Brief discussion took place with consensus to change the sentence to read: Rural Lancaster County is in transition from an area of predominantly agricultural uses to an area which includes more residential uses.

MOTION: Campbell moved and Stevens seconded to reconsider the previous motion. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: Campbell moved and Stevens seconded to advance the amended language for Page F77, with that change. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Workman submitted a proposal to replace language in Paragraphs 2, 3 and 4 on Page F79 (Exhibit J).

Campbell suggested retaining the amended language and including examples of incentives and options, as contained in the March 26, 2002 letter from the County Board to the Planning Commission (Exhibit K).

DeKalb said the details can be worked out when the County Zoning Resolution is updated.

MOTION: Heier moved and Campbell seconded to advance the amended language for Page F79, with the following amendment to Paragraph 2, Sentence 2: Provide for an ability to divide two 3 acre lots per 40 acre parcel by right, with conditions and administrative review and appeal to the County Board.

Eagan suggested that Paragraph 3, Sentence 2 be amended to read as follows: This technique has been successful in providing flexibility while preserving both farmland and environmental resources at the same time.

The maker and seconder withdrew their motion.

MOTION: Campbell moved and Stevens seconded to advance the amended language for Page F79, with the following amendments:

- 1) Paragraph 2, Sentence 2: Provide for an ability to divide two 3 acre lots per 40 acre parcel by right, with conditions and administrative review and appeal to the County Board
- 2) Paragraph 3, Sentence 2: This technique has been successful in providing flexibility while preserving both farmland and environmental resources at the same time
- 3) Paragraph 4, Sentence 1: Development of a performance standard "point system" will allow the location of higher density rural acreage development in either AG or AGR where the review criteria can be met

Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Section: COMMUNITY FACILITIES, Medical Health Care (Insert additional language on Page F141)

MOTION: Campbell moved and Stevens seconded to advance the amended language for Page F141. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Section: PLAN REALIZATION, On-Going Comprehensive Plan Activities (Human Services Planning) (Insert and adjust language on Page F172 regarding Human Services Planning)

MOTION: Campbell moved and Stevens seconded to advance the amended language for Page F172. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

Returning to Section: BUSINESS & COMMERCE, Development in Lancaster County, Outside of Lincoln (Request: Amend the fourth paragraph on Page F53 to allow rural industry and business)

Hudkins asked for reconsideration of proposed language.

Campbell said the language that Hudkins has proposed may be more appropriate in the economic development section and suggested inclusion of language indicating that the communities invite industrial and commercial business and will work with them to find appropriate sites.

MOTION: Hudkins moved and Campbell seconded to:

- 1) Advance the amended language for Page F53, striking the second sentence in Paragraph 4
- 2) Direct Planning staff to work with Hudkins and Campbell to draft language that conveys Hudkins' concept and to find an appropriate place in the Comprehensive Plan for its insertion

Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

12 ADMINISTRATIVE OFFICER REPORT

A. Appointment to County Board of Zoning Appeals

Eagan said Burdette Piening had been nominated to fill a vacancy on the County Board of Zoning Appeals, but said there may be a perceived conflict of interest because his sister is a member of that body (Exhibit G). He said Matt Warner has also been suggested for appointment and said he has indicated a willingness to serve.

MOTION: Hudkins moved and Stevens seconded to schedule appointment of Matt Warner to the County Board of Zoning Appeals on the May 28, 2002 County Board of Commissioners Meeting agenda. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

B. Governmental Accounting Standards Board (GASB 34) Escrow Agreement with Maximus

Dave Johnson, Deputy County Attorney, recommended amendment of the agreement with Maximus to delete the escrow requirement, due to the associated cost. He noted that Information Services does not believe the escrow protection is needed.

Dave Kroeker, Budget and Fiscal Officer, concurred with the recommendation.

Johnson said the amended contract will be drafted and scheduled for consideration on a County Board of Commissioners Meeting agenda.

C. Website Agreement with City

MOTION: Hudkins moved and Heier seconded to appoint the County Assessor, Deputy County Treasurer, Deputy Chief Administrative Officer, and the County Board's representative to the Information Services Policy Committee (ISPC) to the Web Advisory Committee. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

D. Board of Equalization Scheduling and Referee Contract

Trish Owen, Deputy County Clerk, reviewed the Board of Equalization Hearing Schedule (see agenda packet).

E. Wraparound Milwaukee Director Visit

The Board scheduled a meeting with Bruce Kamradt, Director of the Milwaukee Wraparound Program, from 9 a.m. to 12 p.m. on June 25, 2002. Region V; F³ Conveners; Ron Ross, Nebraska Department of Health & Human Services (HHS) Director; and Steve Curtis, HHS, will be invited to attend.

F. Nebraska on the Move (Statewide Road Project)

Campbell distributed copies of *Nebraska on the Move!* (Exhibit H).

G. E-Mail Management Class for Brian Pillard, Records & Information Manager (\$59) and Use of Temporary Employee (June 3-7, 2002)

MOTION: Heier moved and Hudkins seconded approval. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

H. Special Designated License Procedures (Application from Hot Dam, Inc. for May 24-27, 2002)

Dave Johnson, Deputy County Attorney, explained that an application for a special designated license from Hot Dam, Inc. does not meet the filing deadline established by County Resolution No. R-000-148, Procedures and Standards for Administrating Liquor License Applications in Lancaster County Nebraska (see agenda packet). Several other applications filed in the County Clerk's Office in recent weeks also failed to meet this deadline. He said applicants have received contradictory information from the Nebraska Liquor Control Commission (NLCC) and there are inconsistencies in how that body enforces its requirements. Johnson noted that it is up to the County Board whether to approve a special designated license, regardless of what the NLCC does, adding that if the Board wishes to retain its filing requirement of 21 working days (excluding holidays), prior to the date of the event, it should be applied in a consistent manner. He suggested that applicants who fail to meet the requirements be sent a form letter, a copy of the filed application and a copy of County Resolution No. R-000-148.

Gwen Thorpe, Deputy Chief Administrative Officer, said filing requirements differ by county, which is confusing for applicants.

Campbell said the Board needs to take caution with special designated licenses, due to their nature.

Stevens suggested that a solution may be to guarantee a hearing by the Board if applications are properly filed.

Board consensus was to adhere to the existing resolution and to direct Johnson to draft a letter to applicants who have not met the filing requirements and an amendment to the resolution allowing for a shorter time frame, with no guarantee that the Board will have time to act.

Johnson noted that the County has also received a courtesy filing from the Nebraska Board of Agriculture for a special designated license to hold a bluegrass festival on May 31, June 1, and June 2, 2002. The application does not meet the County's filing requirements.

Board consensus was to take no action on the application.

The County Clerk's Office will notify the applicant.

NOTE: Also present were Jim Sullivan and Cory Adams, Hot Dam, Inc.

13 ADJOURNMENT

MOTION: Hudkins moved and Heier seconded to adjourn the meeting at 12:35 p.m. Campbell, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk